

November 15, 2004

Exemption No. 2528M
Regulatory Docket No. FAA-2003-14309

Mr. Tim D. Brooks
Flight Operations
Kenmore Air Harbor, Inc.
Kenmore, WA 98028

Dear Mr. Brooks:

We are pleased to inform you that we have granted your petition to extend Exemption No. 2528, as amended. This letter explains the basis for our decision and describes its effect.

The Basis for our Decision

By letter filed October 19, 2004, and supplemental information submitted October 27, 2004, you petitioned the Federal Aviation Administration (FAA) on behalf of Kenmore Air Harbor, Inc. (Kenmore) for an extension of Exemption No. 2528, as amended. That exemption from § 135.203(a)(1) of Title 14, Code of Federal Regulations permits Kenmore to conduct seaplane operations under visual flight rules, outside controlled airspace, over water, and at an altitude below 500 feet above ground level.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of the exemption would not set a precedent.

AFS-05-027

The FAA has determined that the justification for the issuance of Exemption No. 2528, as amended, remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I grant your petition.

The Effect of our Decision

Our decision extends the termination date of Exemption No. 2528, as amended, to March 31, 2007, unless sooner superseded or rescinded.

All conditions and limitations of Exemption No. 2528, as amended, remain the same. This letter will be attached to, and is a part of, Exemption No. 2528.

Sincerely,

/s/

John M. Allen
Acting Director, Flight Standards Service